

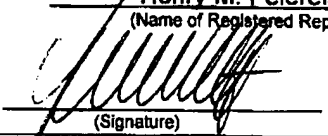
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: DANZ-4

In re PATENT Application of: MIRKO DANZ et al.	)
	) Examiner: Dalencourt Yves
	) Group Art Unit: 2457
Appl. No.: 10/597,958	)
Filed: August 14, 2006	)
	) Confirmation No.: 8432
For: METHOD FOR CONFIGURING AN	)
AUTOMATION COMPONENT OF AN	)
AUTOMATION SYSTEM, AND	)
CORRESPONDING AUTOMATION SYSTEM	)

PETITION UNDER 37 C.F.R. §1.81

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATION OF EFS-WEB TRANSMISSION	
I hereby certify that this paper is being EFS-Web transmitted to the U.S. Patent and Trademark Office, Alexandria VA 22313-1450, on <u>March 25, 2009</u> .	
Date	
Henry M. Feiereisen	
(Name of Registered Representative)	
	<u>3-25-2009</u>
(Signature)	(Date of Signature)

S I R:

Applicant hereby respectfully petitions the Director to restart the period for response to the Office Action, dated October 7, 2008.

Applicant requests that the attached documentation be kept confidential.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

**STATEMENT OF FACTS:**

An Office Action was issued with a mailing date of October 7, 2008. The undersigned states that the Office Action was never received at the correspondence address of record and that a search of the records including the file jacket and the application contents indicates that the Office Action was not received.

The following system has been established in the Office of the undersigned for recording an Office Action. When an Office Action is received at the correspondence address of record, a check list (blank copy enclosed, marked "A") together with the involved file jacket is attached to the Office Action. The secretary fills out the check list, item by item, and signs and dates the check list, when finished.

Item 13) of the check list relates to a calendar "Wiedervorlage" which involves a reminder system to retrieve a file periodically. A calendar sheet of this "Wiedervorlage" calendar, dated March 2009 is further submitted (Appendix marked "B") to show the entry on March 20, 2009 of "DANZ-4" which is the practitioner's docket number for the above-identified patent application.

In view of the March 20, 2009 entry, the file jacket was retrieved and the PAIR system has been checked. At that time, the issuance of the Office Action has been discovered.

Applicant submits herewith the following documents as further proof of non-receipt of the Office Action:

- 1) Copy of the master docket report (Appendix marked "C") showing all replies docketed for the date of January 7, 2009, when a response was due to the Office Action.
- 2) Excerpt of practitioner's "Incoming Mail Log" (Appendix marked "D") for the time period beginning October 6, 2008 to October 16, 2008.
- 3) Copy of record card (Appendix marked "E") in database before discovery of the Office Action.
- 4) Copy of record card (Appendix marked "F") in database after discovery of the Office Action.

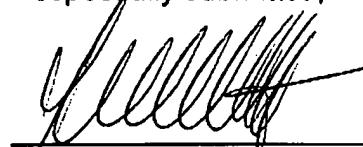
Docket No: DANZ-4  
Appl. No: 10/597,958

The undersigned states that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Restart of the period for response to the Office Action, dated October 7, 2008 is respectfully requested.

Respectfully submitted,

By:

  
Henry M. Feiereisen  
Agent for Applicant  
Reg. No. 31,084

Date: March 25, 2009  
708 Third Avenue  
Suite 1501  
New York, N.Y. 10017  
(212) 244-5500  
HMF:af

A

## CHECK LIST WHEN RECEIVING AN OFFICE ACTION:

- 1) ☐ Check Serial No. and check if all references are included
- 2) ☐ Check if Form PTO-1449 is enclosed with initial of the examiner, if applicable
- 3) ☐ Make copy of entire Office Action
- 4) ☐ Stamp cover page of Office Action and complete data
- 5) ☐ Note deadline(s) in main calendar, sidekick and for Henry (HMF) and for Ursula (UBD)
- 6) ☐ Note final deadline in sidekick and for Henry (only final Office Action)
- 7) ☐ Complete database
- 8) ☐ Check who works on case      Name:      HMF ☐ UBD ☐ WS ☐
- 9) ☐ Prepare and mail report letter
- 10) ☐ Check status
- 11) ☐ Note mailing date of Office Action on folder
- 12) ☐ Note Examiner's name and telephone no. on folder
- 13) ☐ Note in calendar "Wiedervorlage" a date two weeks before deadline mit Ausrufezeichen
- 14) ☐ Note in disbursement sheet
- 15) ☐ Place folder with Office Action on top at the bottom of stack of like folder in HMF room or UBD room or WS pile

Date: \_\_\_\_\_

Completed by: \_\_\_\_\_

# MARCH 2009

March 2009	April 2009	May 2009	June 2009	July 2009	August 2009	September 2009	October 2009	November 2009
SMTWTFS	SMTWTFS	SMTWTFS	SMTWTFS	SMTWTFS	SMTWTFS	SMTWTFS	SMTWTFS	SMTWTFS
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATU
60305	2 Eastern Orthodox Lent begins MÜLLER-38 (iss for ROA) STRUBEL-8 (2w. vor ROA) PÄHNER-3 (~N) LÖRSCHE-3 (~V) FINKLER-3 (~V) ROCK! (Miss Parsi) 9 WEESLEY- (~) BRETSCHEIDT-4 (P) NUNENBERGER-1 (iss for ROA) KNAPP-3 (Out of (S)) KNAKEE-5 (2w. vor ROA) MAVERHOFFER- (~) IGNATIUS- (~V) HOPPE-18 (~)	061704 3 EUSSEL (2w. vor ROA) DÄNGER-3 (~) Höchstwinkler (Prop day) 062703 10 BEAUN-10 (P) WÄLLER-3 (P) KUNAWAT-11 (P) 069796 17 St. Patrick's Day PETER-1 (iss for ROA) WILK-5 (P) ERHARD-1 (P) HONZEL-1 (P) 083782 24 KLOS 1 GA SCHWESIG-4 1. GA NATSCHEID-3 (P) DME-4 (2w. vor 1d. 1. ROA) (P) 090276 30 1d. 1. ROA	063702 4 HATSCHEIDT-1 (P) HAG-1 (P) 070795 11 KATER-5 1. GA FEEGET-1 (P) SCHATZ-3 (Comp day) DABOS (P) HILLER-4 (OM) 077286 18 Lyschick-2 (P) HILLER-2 (P) COMBENK-1 076289 17 St. Patrick's Day PETER-1 (iss for ROA) WILK-5 (P) ERHARD-1 (P) HONZEL-1 (P) 083782 24 KLOS 1 GA SCHWESIG-4 1. GA NATSCHEID-3 (P) DME-4 (2w. vor 1d. 1. ROA) (P) 090276 30 1d. 1. ROA	064301 5 HOPPE-23 (2w. vor ROA) PILGERSHOF-3 (ROA) KIRCHNER-1 (iss for ROA) VOLPETER-4 (P) SEIDT-2 (2w. vor ROA) PÄHNER-2 (~V) 071294 12 PILCHTER-21 1. GA DRECHTHOF-13 (P) BRANN-3 (P) MÜLLER-4 (2w. vor ROA) HANDING-5 (2w. vor Prop day) 077286 19 SCHOLTYSSEH-1 (P) HORN-2 1. GA ZUCHS-3 + 4 (P) PIEN-2 BUCHHOLZ-1 REICHHART-12 BRANN-12 (Prop day) 085780 26 ARNS-3 1. GA HORN-3 (P) ALLRICH-3 (P) HANN-1 (P) GRÖZINGER-2 (RWS)	065300 6 ARHEIT (2w. vor ROA) PÄHNER (COMBENK) 072793 13 HILLER-3 1. GA CHRISTIAN-1 (P) SCHULE-1 (P) 079286 20 Spring begins SCHULE-1 (P) DANZ-4 085779 27 ARNTA GRUBER-3 (P) PÄHNER-1 (P) GEORGE-1 (P)	7

**Wednesday  
January 2009**

February 2009						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

# HENRY M. FEIEREISEN

## INCOMING MAIL

10/6/08	PTO	TN/MULTIFIX	REQUEST FOR RECORDS-N DENIED
		2xTN/LDS ZORADS	Not of accept.
		TN/DOM	Not of abandonm.
		BUUDE-3	Not of accept.
		SCHREPFER-2	~
		SCHUNK-6	~
		TN/VULIANT INS.	Because exp. M & d not of dwd.
		DOZSA-2	Not of allow.
		HERR-2	Not of publ.
		HENNEKES	FR
		BEHLING-2	~
		STOLAROV	Issue Not.
		DEYLITZ	~
		BRUNE	OA
		STEINSEHORN	~
		NISSL-2	~
		BERGHOFER	~
	Westphal	—	Zahlung Ankündigung
	Siemens	—	Account info
	Krauss-Hoffe	GRIMM-8	Re: case
	FETHERSTONHAUGH	MURBERGER/CAN	Re: case.
10/7/08	Lösenbeck	VENNEWALD	
10/8/08	HPH	—	Zahlungsanzeige
	König	OBERHOFF	Re: case
<del>PTO</del>	PTO	WENSVEEN	OA
		BUCKHOLZ-3	~
		HUTH-4	~

# HENRY M. FEIEREISEN

## INCOMING MAIL

10/8/08	PTD	TH/CRYSTAL NET	Not of publ.
		TH/VIKING'S QUEST	~
		TH/BEN GALTIGERS	~
		TH/SATISFACTION	~
		HECKLER	N F St.
		ROTHMER-6	~
		BRINKMANN	~
		AUERBACH	Not of mic. parts.
		WALDERS	No ~
	Siemens	HOPPE-1P	Re: case
	~	VOLLNER-16	~
10/9/8	NPM	SIEVERDING-3	New case
	Nestlhal	--	Zahlung
	PTD	FRIESE	H.F. Rent.
		TH/BHT	OA
		TH/Sport Eyes	~
		TH/MAGIC WEAVE	~
		RUCKSER-2	Cert.
		KLAPPROTH	~
		SHIRLING-9	Not of allow. 2 for dec
		WINBERGER-2	~
		YESKE	OA
	Siemens	MENNART	Pow of Attorn.
	~	MENZ	New case
10/10/08	König	PI/PETERSEN-9	Re: case
	~	PI/PETERSEN-2	~



# HENRY M. FEIEREISEN

## INCOMING MAIL

10/10/08	PTO	KIRCHHEIMER-21	Upd. FR
		VENNEWALD	~
		ZINNERMANN-3	Not of accept
		MULLER-36	OA
		ROHS-13/12/11	~
		TN/IDHACS	att.
		TN/Torhammer	~
10/14/08	Bockermann	GOSMANN-2	Re: case
	Arab Emir. Emb.	—	—
	Misner & H.	PRASSER	Re: case
	WIPO	HOPE-17	PCT
	Malwald	Des/AROL	Re: case
	~	Des/Wischniewski	~
	Bockermann	WIBBEKE	~
	HPH	EICHLSEDER-4	~
	~	A XOS	~
	~	EICHLSEDER-8/4	
	PTO	OLDE	OA
		TROSTER	~
		BURKLE-3	~
		NEUSSNER	~
		LANGE	~
		TN/ANIGODEIA	FORTUNA Kartchen
		TN/LEGEND OF THE AZTECS	~
		AROL	Resp. to Rule 312
		TN/ROYAL QUALITY GOOD MAN	Petit. to direkt.
		GRUENER	Not of miss. req.

# HENRY M. FEIEREISEN

## INCOMING MAIL

10/14/08	PTD	TH/RAPID STA	Exon's amanda.
		TH/NO WORK. JUST FUN. W	~
		TH/RANDY RUN	~
		RESSEL	Not of publ.
		REICHHART-8	~
		~ - 9	~
		KLOTZ-2	Advisory Action
		FIEDLER-2	FR
		SCHEBNER	Not of publ.
		DIRNFELDNER-3	Issue not on
		GROTHAUS	M. Fee St.
		WINBERGER	Not of offow.
		DOZ SA	~
10-15-08	PTD	SCHAUERTE	Not of abandonm.
	Bockermann	HANDING-3	Prior. beleg.
	Siemens	—	Negativliste x3
	MPH	SCHÜPPSTUHL	Neu
	Siemens	S/ETERBÖ	Re: case
	~	KNORR-6	~
	~	BENESCH-2	Neu
	~	SOPP	~
10/16/08	PTD	TH/MYSTICREALM	Kartchen
		EWALD	Not of publ.
		WIBBEKE	Not of mis. p.
		RIEPE-3	Not of mis. p.
		DORNHOFER	N. Fee
		WECKE-8	~

**Mirko DANZ; Johannes EXTRA; Peter WAGNER**

**SIEMENS AG (2003P18646W0US)**

**large**

**Siemens AG (Roland Bittner)**

**METHOD FOR CONFIGURING AN AUTOMATION COMPONENT OF AN AUTOMATION SYSTEM, AND CORRESPONDING AUTOMATION SYSTEM**

### Verfahren zum konfigurieren einer Automatisierungskomponente eines Automatisierungssystems u. entsprechendes Aut

**PCT**

**2-13-04**

**10 2004 007 231.0**

Germany

**THE**

**08-14-06**

# MEMBER

1000

# PATENT NUMBER

1

DATE OF PAYMENT

1

DATE OF PAYMENT

1000000

**NEW YORK**

## Awaiting OA

**ONELIX**

**DANZ-4**



F

INVENTORS	Mirko DANZ; Johannes EXTRA; Peter WAGNER		
ASSIGNEE	SIEMENS AG (2003P18646WOUS)	STATUS	large
CLIENT	Siemens AG (Roland Bittner)		
TITLE	METHOD FOR CONFIGURING AN AUTOMATION COMPONENT OF AN AUTOMATION SYSTEM, AND CORRESPON		
DESCRIPT	Verfahren zum konfigurieren einer Automatisierungskomponente eines Automatisierungssystems u. entsprechendes Aut		
TYPE OF APPLICATION	PCT		
PRIORITY DATE	2-13-04	PRIORITY NUMBER	10 2004 007 231.0 PCT/EP2004/050366
COUNTRY	Germany	FILE NUMBER	10/597.958
FILE DATE	08-14-06	PATENT NUMBER	
PATENT DATE		DATE OF PAYMENT	
1. M. FEE		DATE OF PAYMENT	
2. M. FEE		DATE OF PAYMENT	
3. M. FEE		DATE OF PAYMENT	
CURRENT/APPL. STATUS	Resp. OA due: 04-07-09, 3mx (last deadline)		
EXAMINER	Yves Dalencourt: 571-272-3998	DOCKET NO	DANZ-4
	Save		